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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 1327.0690001/ELE/SJE
INTERNATIONAL APPLICATION NO. PCT/US2003/028100		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/525,415
INTERNATIONAL FILING DATE 9 September 2003		PRIORITY DATE CLAIMED 10 September 2002
TITLE OF INVENTION HEMOSTATIC DRESSING		
APPLICANT(S) FOR DO/EO/US Martin MACPHEE, Dawson BEALL and Stanley FRIEDMAN		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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20. Other items or information: 1) Reply to the Notification of Defective Response; 2) PTO-2038 Credit Card Payment Form for \$130.00 (37 C.F.R. § 1.497(d)(2)); 3) Consent of the Assignee Under 37 C.F.R. § 1.497 (d)(3); 4) Statement Under 37 C.F.R. § 3.73(b); 5) Statement Under 37 C.F.R. § 1.497(d)(1) executed by Dawson Beall; 6) Statement Under 37 C.F.R. § 1.497(d)(1) executed by Stanley Friedman; and 7) One (1) return postcard.					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
1000	10525415	/50 =	x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	130.00
				Amount to be refunded:	\$
				Amount to be charged	\$

501446.1

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NUMBER 26111

SIGNATURE



Simon J. Elliott

NAME

54,083

REGISTRATION NUMBER

501446.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Martin J. MACPHEE *et al.*

Appl. No.: 10/525,415

(U.S. Nat'l Phase of PCT/US2003/028100)

Int'l Filing Date: September 9, 2003

For: **HEMOSTATIC DRESSING**

Confirmation No.: 5063

Art Unit: *To Be Assigned*

Examiner: *To Be Assigned*

Atty. Docket: 1327.0690001/ELE/SJE

Reply to the Notification of Defective Response

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

On January 10, 2006, in the captioned application, Applicants submitted original executed Declarations from Martin MACPHEE, Dawson BEALL and Stanley FRIEDMAN, in compliance with the Notice of Missing Requirements of August 10, 2005. On January 27, 2006, the USPTO issued a Notification of Defective Response ("the Notification"), indicating that the Declarations of Dawson BEALL and Stanley FRIEDMAN was not in compliance with 37 C.F.R. § 1.497. Further to the undersigned's February 7, 2006, telephone conference with Ms Vonda Wallace of the USPTO, whose name appears on the Notification, Applicants submit herewith documents to affect the change of inventorship on the captioned application.

The following documents are provided:

1. A Statement Under 37 C.F.R. § 1.497(d)(1) by Dawson BEALL and Stanley FRIEDMAN that the inventorship error occurred without deceptive intent;
2. The processing fee Under 37 C.F.R. § 1.497(d)(2); and

3. Consent of the Assignee Under 37 C.F.R. § 1.497(d)(3), with the Statement Under 37 C.F.R. § 3.73(b). A copy of the Assignment is submitted herewith for recordation.

The Declarations were provided in the submission of January 10, 2006. No new Declarations are required Under 37 C.F.R. § 1.497(d)(4). Accordingly, Applicants have fully complied with 37 C.F.R. § 1.497 for affecting a change of inventorship in an Application filed Under 35 U.S.C. § 371.

This submission is filed within the one month date specified on the Notice. Accordingly, no fees for extensions of time are believed to be required. If additional fees are required, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Simon J. Elliott
Agent for Applicants
Registration No. 54,083

Date: Feb 27, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

THG

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**Statement Under 37 C.F.R. § 1.497(d)(1) of a
Person to be Added or Deleted as an Inventor**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

I am an inventor/coinventor of one or more claims in the above-captioned nonprovisional application. I was not originally named as an inventor in International Application No. PCT/US2003/028100, of which the present application is the U.S. National Phase Entry. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed:

Dawson Beall

Date: *2/20/06*

Dawson Beall

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13 MAR 2006

Legal Staff
International Division

Rec'd PCT/PTO 27 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Martin J. MACPHEE *et al.*

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Sir:

I am an inventor/coinventor of one or more claims in the above-captioned nonprovisional application. I was not originally named as an inventor in International Application No. PCT/US2003/028100, of which the present application is the U.S. National Phase Entry. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed: 

Stanley Friedman

Date: Feb 21, 2005